



MAINE STATE BOARD OF EDUCATION

Department of Education
AUGUSTA, MAINE 04333

STATE OF MAINE

The State Board of Education held a regular monthly meeting on January 15, 2003, at the Augusta Armory, Augusta with the following members present: Chair Jean Gulliver, Vice Chair Philip Dionne, Joyce McPhetres, Wes Bonney, Jim Rier, Ken Allen, Jack Norris, Ellie Multer, and Janet Tockman.

Also present were: J. Duke Albanese, Commissioner; Judith Lucarelli, Deputy Commissioner; Judy Malcolm, Team Leader, Support Systems Subteam; Scott Brown, AIA, School Construction; Harry Osgood, Higher Education Specialist; and Rhonda Casey, Clerk.

CALLED TO ORDER:

The meeting was called to order at 1:00 p.m.

CONSENT AGENDA:

SITE APPROVAL FOR LINCOLNVILLE ELEMENTARY SCHOOL

CONSIDERATION OF THE REQUEST FROM THE SOUTHERN NEW HAMPSHIRE UNIVERSITY TO OFFER ACADEMIC CREDIT PROGRAMS IN MAINE

RECEIPT OF FINAL REPORT OF THE VISITATION TEAM FOR THE UNIVERSITY OF MAINE AT FARMINGTON

RECEIPT OF THE NCATE BOARD OF EXAMINER'S REPORT FOR THE UNIVERSITY OF MAINE AT FARMINGTON

MOVED by Ellie Multer, seconded by Jim Rier, and unanimously voted to approve the consent agenda.

REGULAR BUSINESS:

MAJOR CAPITAL IMPROVEMENT PROGRAM SCHOOL CONSTRUCTION PROJECT; BIDDEFORD MIDDLE SCHOOL CONCEPT APPROVAL CONSIDERATION

Statement of Fact: Attached is a brief description of the proposed Biddeford Middle School construction project located adjacent to an existing school in the City of Biddeford. The proposed project is to build a new 780-pupil middle school to house grades 6-8. The school administrative unit requests that it be granted Concept Approval. Biddeford will make a significant financial contribution to the project.

Project Information:

Project: Biddeford Middle School
Superintendent: Dr. Kent Webster
Principal: Carol Weeks

Superintendent Dr. Kent Webster has provided the following project description statement:

“Presently, there are no proposed changes in grade level groupings that will affect educational issues because we are utilizing many different structures. We are using the village concept. We are looping. We have multi-age classes. We have developmental kindergarten programs. We have inclusion. We have Block as well as Parallel Block Schedules. We have interdisciplinary teaming. We have flexible curriculum groupings. All of these promote studentcentered learning.

However, Biddeford’s enrollment increases and present grade level groupings are impacting our buildings. They are making it difficult for us to follow state regulations and to provide individual personalized instruction and assessment. In addition to twenty-six portable units, we are using closets and bathroom spaces that have been converted into small work areas. Three and four teachers or paraprofessionals have to share rooms at one time. This makes it impossible for much movement and for hands-on activities. Consequently, a new building must be constructed and our present buildings must be renovated. These new and renovated district facilities will enable Biddeford to continue using its present grade level groupings, to expand and/or implement new programs in order to meet Maine’s *Learning Results*, and to provide those resources, practices, and conditions that would be driven by the needs of all of the students.

Biddeford’s new and renovated schools will be student- centered. Their individualized learning systems will impact the student, the classroom, the teachers, the local school system, and the community. All students’ programs will be based on the same curriculum; but instruction and assessment will be personalized to meet individual needs. ‘The physical structure of the classroom, the educational tools and materials, the rhythm of the day, the strategies used and the teacher’s style are guided by the demands of personalized education for students to ensure they all achieve the Learning Results.’”

Project Budget Information:

Estimated Project Cost: \$22,783,376
Local Share (No State Participation): \$4,790,145
Approved for Inclusion in Debt Service: \$17,993,231

Recommendation: The Department of Education and the State Board's Construction Subcommittee recommend that the State Board of Education grant Concept Approval for the Biddeford Middle School construction project and approve the budget.

MOVED by Jim Rier, seconded by Ken Allen, and unanimously voted to grant Concept Approval for the Biddeford Middle School construction project budget.

ADOPTION OF PROPOSED AMENDMENTS TO STATE BOARD RULES
CHAPTER 61 – RULES FOR MAJOR CAPITAL SCHOOL CONSTRUCTION PROJECTS.

Statement of Facts: The Department of Education and the State Board of Education established an ad hoc committee to review the existing State Board Rules Chapter 61 and make recommendations for changes to the Board. On October 21, 2002, the committee presented its recommended proposal to the State Board, and the State Board voted to authorize promulgation of the proposal in accordance with the Administrative Procedure Act.

The State Board held a public hearing on Monday, November 18, 2002, to receive oral comments regarding the proposed rule changes. The deadline for submission of written comments was Monday, December 2, 2002.

Oral and written comments have been reviewed and responses prepared. A copy of the final rule, including comments and responses to comments, has been distributed to the Board.

Recommendation: It is recommended that the State Board of Education vote to adopt the proposed changes to Chapter 61 – Rules for Major Capital School Construction Projects.

MOVED by Phil Dionne, seconded by Ellie Multer, and unanimously voted to adopt the proposed changes to Chapter 61, Rules for Major Capital School Construction Projects.

PROVISIONAL ADOPTION OF PROPOSED AMENDMENTS TO MAINE STATE BOARD OF EDUCATION, MAINE DEPARTMENT OF EDUCATION RULE CHAPTER 115 CERTIFICATION, AUTHORIZATION, AND APPROVAL OF EDUCATIONAL PERSONNEL

Statement of Facts: This rule contains the requirements for certification, authorization, and approval of educational personnel who serve in the public and in certain approved private schools of the State of Maine. Standards and procedures for certification, authorization, and approval are included and are intended to provide the highest quality of personnel to help students meet the standards of the system of Learning Results.

The Department of Education and the State Board of Education have reviewed the current rule Chapter 115 and issued recommendations for changes to the Board. On

October 21, 2002, the proposal to rule was presented to the State Board and the Board voted to authorize promulgation of the proposal in accordance with the Maine Administrative Procedure Act.

The State Board held a public hearing on Monday, November 18, 2002, to receive oral comments regarding the proposed rule changes. The deadline for submission of written comments was Monday, December 2, 2002.

Oral and written comments have been reviewed and responses prepared. The Board has received a copy of the final rule, including comments and responses to the comments, for consideration.

Recommendation: It is recommended that the State Board of Education provisionally adopt the proposed changes to Chapter 115, Parts I and II, Maine State Board of Education and Maine Department of Education rule Chapter 115 Certification, Authorization, and Approval of Educational Personnel.

MOVED by Phil Dionne, seconded by Ken Allen, and unanimously voted to provisionally adopt the proposed changes to Chapter 115, Parts I and II, Maine State Board of Education and Maine Department of Education Rule Chapter 115, Certification, Authorization, and Approval of Educational Personnel.

MOTION to adopt the below resolution:

**RESOLUTION OF THE MAINE STATE BOARD OF EDUCATION
Urging the United States Congress to Meet its Obligations
in the Funding of Special Education**

Whereas, a Congressional mandate rightly and fairly requires public schools to provide for the education of children with disabilities; and

Whereas, the State of Maine has diligently and faithfully lived up to this mandate, providing appropriate education for all children with disabilities, and integrating those children into regular classrooms to the maximum feasible extent; and

Whereas, the State of Maine provides for the inclusion of such students as a part of the state's assessment and accountability system; and

Whereas the State of Maine also provides accommodations and alternative approaches for the assessment of students with disabilities; and

Whereas, teacher certification requirements provide for all teachers to have instruction in the education and management of students with disabilities; and

Whereas the State of Maine is taking every possible means to assure the education of students with disabilities and is doing so at great expense to the state and to local school administrative units; and

Whereas the federal government funds less than 20 per cent of the cost of special education, notwithstanding the fact that it has promised to pay 40 per cent of the mandated costs;

NOW THEREFORE BE IT RESOLVED by the Maine State Board of Education that the United States Congress be and is hereby implored to provide full funding for the Individuals with Disabilities Education Act as it considers the reauthorization of that act, and to do so without deducting funds from other aspects of education. Such full funding will enhance education for all students and will greatly relieve the burden placed upon our state and all states by this mandate and will constitute a more equitable sharing of obligations between the states and the federal government; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to all members of the Congressional delegation of the State of Maine, to the Governor, the Commissioner of Education, the Speaker of the Maine House of Representatives, the President of the Maine Senate, the Chairs and members of the Legislature's Committee on Education and Cultural Affairs and to the National Association of State Boards of Education and that a copy shall be posted on the web site of the State Board of Education.

MOVED by Wes Bonney, seconded by Joyce McPhetres, and unanimously voted to adopt the above resolution.

MOTION to approve the School Administrative Unit Study Group Interim Report and to submit the report to the Joint Standing Committee on Education and Cultural Affairs on January 30, 2003.

MOVED by Ken Allen, seconded by Jim Rier, and unanimously voted to approve the interim report of the School Administrative Unit Study Group.

Commissioner Albanese and Jean Gulliver jointly reported on the following:

- That they will be attending the Ninth Annual Winter Convocation sponsored by Maine School Management Association on January 16 and January 17, 2003.
- That the Education Committee has several new members, and they will need to be brought up to speed with the Department of Education's and the State Board's pending and future initiatives.

ADJOURNMENT:

State Board of Education unanimously agreed to adjourn the Wednesday January 12, 2003, meeting at 3:00 p.m.